IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UN	IITED STATES OF AMERICA)		
	Plaintiff,) 8:10CR446)		
	vs.) DETENTION ORDER		
JO	SE MANUEL MONTEROSSA-HERNANDEZ,	,		
	Defendant.	,		
A.	Order For Detention After waiving a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act on December 16, 2010, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i).			
B.	 Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds: X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community. 			
C.	United States without the consessuccessor in violation of 8 U.S.C. imprisonment under 8 U.S.C. § (b) The offense is a crime of violence (c) The offense involves a narcotic (d) The offense involves a large amount (2) The weight of the evidence against the (a) The history and characteristics of the disconsister (a) General Factors: The defendant appears may affect whether the X The defendant has no so X The defendant has no so X The defendant does not ties. Past conduct of the defendant has a his The defendant has a his The defendant has a signal to the defendant has a	rt, and includes the following: se charged: en deported from the United States, braska after having re-entered the ent of the Attorney General or his § 1326(a) and subject to two years 1326(b). se. drug. ount of controlled substances, to wit: defendant is high. efendant including: sto have a mental condition which defendant will appear. amily ties in the area. steady employment. substantial financial resources. ong time resident of the community. ot have any significant community endant: story relating to drug abuse. story relating to alcohol abuse. gnificant prior criminal record. orior record of failure to appear at		

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	<u> </u>	Probation Parole Release pending trial, sentence, appeal or completion of sentence.
(c)		
` '	<u>X</u>	The defendant is an illegal alien and is subject to deportation.
		The defendant is a legal alien and will be subject to deportation if convicted.
	<u>X</u>	The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal. Other:

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: December 16, 2010.

BY THE COURT:

s/ Thomas D. Thalken United States Magistrate Judge